

Case No. 12124125

CAD Event No.:

594 (B)(2)(A) - PC - VANDALISM [\$400 OR LESS] (M)

13 - Highway/Road/Alley

S9994316

Case Disposition: Arrest

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[E] County Of San Diego 12124125.1 Primary Victim: Report No. Page 1 of 11 ARREST REPORT LOCAL OUT JUVENILE CONTACT REPORT WARRANT: GENERAL CASE INFORMATION Primary Charge 148 (A)(1) - PC - OBSTRUCT/RESIST PEACE OFCR/EMER MED TECH (M) Location, City, State, ZIP: 2405 San Diego Av, Ramona, CA 92065 05/13/2012 18:00:00 (Sunday) Ramona - RAMONA 435 ANI/ALI 60 - Drunk on Alcohol or Drugs 01 - Alcohol a factor in action 07 - To satisfy personal need or desire VICTIM/S Victim #1 Person Code: Secured Premise Discovered Crime Reporting Party Law Enforcement Officer Name: Victim Type: Interpreter Language: [E] County Of San Diego **G** - Government ALIAS / AKA / NICKNAME / MONIKER Name Type: County Residence: 647 (F) - PC - DRUNK IN PUBLIC: ALCOHOL, DRUGS, COMBO OR TOLUENE (M) 594 (B)(2)(A) - PC - VANDALISM [\$400 OR LESS] (M) 148 (A)(1) - PC - OBSTRUCT/RESIST PEACE OFCR/EMER MED TECH (M) Home Address, City, State, ZIF Place of Birth Undocumented: 1424 Montecito Rd, Ramona, CA 92065 US Date of Birth / Age: Weight: Hair Color: Eye Color: Facial Hair: Complexion: **Employment Status:** Occupation/Grade: Employer/School: Employer Address, City, State, ZIP: CONTACT INFORMATION: Number/Address WP - Work Phone 760 789-1200 IDENTIFICATION: Number: State: Country: Attire: Injury: Extent of Treatment: Violent Crime Circumstances: Type Assignment: LAW ENFORCEMENT OFFICER KILLED OR ASSAULTED INFORMATION **IBR/UCR OFFENSE/S** Offense Description: Completed? Using: Against: Counts 148 (A)(1) - PC - OBSTRUCT/RESIST PEACE OFCR/EMER М Yes MED TECH (M) Location Type: Domestic Violence: 13 - Highway/Road/Alley 88 - None (No Bias) No Point of Entry: Criminal Activity Type Security: Gang Related: Entry: Weapons/Force: Tools: Targets: Completed? Counts Using:

Reporting Officer	Division / Organization	Reviewed By
SH1472 - MARTINEZ, COURY	Ramona Substation RAMONA PATROL	SH1610 - VENGLER, W. DANIEL
Report Date 5/14/2012 1:21:09 AM	Detective Assigned SH5580 - MILLER, KARL	Reviewed Date <b>05/14/2012 14:06:07</b>

88 - None (No Bias)

PR

No

Domestic Violence:

No



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[E] County Of San Diego 12124125.1 Primary Victim: Report No. Page 2 of 11 Type Security: Point of Entry: Criminal Activity Gang Related: Entry: Weapons/Force: Tools: Targets: Offense Description: Against: Completed? Counts 647 (F) - PC - DRUNK IN PUBLIC: ALCOHOL, DRUGS, SO Yes М A - Alcohol **COMBO OR TOLUENE (M)** Domestic Violence: No 204 - Single Detached Home 88 - None (No Bias) Criminal Activity Type Security Gang Related: Point of Entry: Weapons/Force: Tools: Targets: ARRESTEE/S Arrestee #1 County Residence Interpreter Language: Walters, John Charles R - Resident ALIAS / AKA / NICKNAME / MONIKER: Name Type: Last: Suffix: Home Address, City, State, ZIP Res. Country: Place of Birth: Undocumented: USA No 2405 San Diego Ave, Ramona, CA 92065 California Hair Color: Eye Color: Complexion: Date of Birth / Age: Weight: Facial Hair: 12/24/1992 - 19 5' 10" 02 - Beard Only W M 180 **BRO GRN MED - Medium** Hair Style Hair Length Build: Suspected User S - Short THI - Thin S - Straight 1 - Normal No Employer Address, City, State, ZIP Employment Status Occupation/Grade: Employer/School: U - Unemployed CONTACT INFORMATION: Number/Address IDENTIFICATION: Number Country: **DLN - Drivers License** F1367609 CA Number SCARS, MARKS, TATTOOS, ODDITIES Suspect Actions black T Shirt, black shorts 07 - Had Been Drinking, ARREST INFORMATION Citation No.: LE Disposition: JUS 750 Type: Booking No. Arrest Type 1 - Released (849PC -O - Probable Cause Arrest - New Case 3 - Other No Charges Filed) (Adult Only) Level Completed Counts: 647 (F) - PC - DRUNK IN PUBLIC: ALCOHOL, DRUGS, COMBO OR TOLUENE (M) Yes M 594 (B)(2)(A) - PC - VANDALISM [\$400 OR LESS] (M) М No 148 (A)(1) - PC - OBSTRUCT/RESIST PEACE OFCR/EMER MED TECH (M) Yes Arrest Location, City, State, ZIF 05/13/2012 18:59:00 SH1472 - MARTINEZ, COURY 2405 San Diego Ave, Ramona, CA 92065 435 SH6333 - KASTELIC, ROBERT SH1472 - MARTINEZ, COURY Miranda Read: Admonished By: Miranda Response: Jail Billing Code: Booked Location: SD Sheriff's Office Armed With: Use of Force to effect Arrest: 01 - Unarmed **JUVENILES** Person Notified: Juvenile Disposition: **Detention Name** Parents Notified By: Notification Method: Date and Time Notified: Juvenile Released To:

Reporting Officer	Division / Organization	Reviewed By
SH1472 - MARTINEZ, COURY	Ramona Substation RAMONA PATROL	SH1610 - VENGLER, W. DANIEL
Report Date <b>5/14/2012 1:21:09 AM</b>	Detective Assigned SH5580 - MILLER, KARL	Reviewed Date 05/14/2012 14:06:07



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[E] County Of San Diego Primary Victim:

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Page 3 of 11 RELEASE INFORMATION Released Location: Released On: Release Reason 05/13/2012 23:55:00 SH1472 - MARTINEZ, COURY **Grossmont Hospital** 07 - Other SUSPECT/S (Not Yet Arrested) WITNESSES Witness #1 Person Code: Secured Premise Discovered Crime Reporting Party Law Enforcement Officer Witness Type 01-Arresting Officer 06-Other Lay Witness 07-Narc Chemist 12-Other Expert 13-Investigator 14-Other Code: Person Code: County Residence R - Resident Walters, Doreen Francis ALIAS / AKA / NICKNAME / MONIKER: Name Type: First: Suffix: Middle: Last: Home Address, City, State, ZIP: Res. Country: Place of Birth: Undocumented: 2405 San Diego Ave, Ramona, CA 92065 USA Date of Birth / Age: Eye Color: Facial Hair: Complexion: 04/09/1927 - 85 F Employment Status: Occupation/Grade: Employer/School: Employer Address, City, State, ZIP: retired CONTACT INFORMATION: Number/Address **HP - Home Phone** 760 789-1458 IDENTIFICATION: Number: Country: Type: Injury: Extent of Treatment: Witness #2 Person Code: Law Enforcement Officer Secured Premise Discovered Crime Reporting Party Witness Type 01-Arresting Officer 06-Other Lay Witness 07-Narc Chemist 12-Other Expert 13-Investigator 14-Other Code: County Residence: Name Martinez, C 01 - Arresting Officer ALIAS / AKA / NICKNAME / MONIKER: Name Type: First: Middle: Last: Suffix: Home Address, City, State, ZIP: Res. Country: Place of Birth: Undocumented: Date of Birth / Age: Hair Color: Eye Color: Facial Hair: Complexion: Race: Sex: Height: Weight: **Employment Status** Occupation/Grade: Employer Address, City, State, ZIP: Employer/School SDSO E - Employed **Deputy Sheriff** 1424 Montecito Rd, Ramona, CA 92065 CONTACT INFORMATION: Number/Address **WP - Work Phone** 760 789-9157 IDENTIFICATION Number Country: State: SH - Sheriff ID 1472 Extent of Treatment: Injury Witness #3 Person Code: Secured Premise Discovered Crime П Reporting Party Law Enforcement Officer Witness Type 01-Arresting Officer 06-Other Lay Witness 07-Narc Chemist 12-Other Expert 13-Investigator X 14-Other Code: Person Code: County Residence: Name: Kastelic, R 16 - Other Police



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Case Disposition: Arrest

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[E] County Of San Diego 12124125.1 Primary Victim: Report No. Page 4 of 11 ALIAS / AKA / NICKNAME / MONIKER: Name Type: First: Suffix: Last: Home Address, City, State, ZIP: Res. Country: Place of Birth Undocumented: Eye Color: Date of Birth / Age: Hair Color: Facial Hair: Complexion: Employment Status: Occupation/Grade: Employer/School Employer Address, City, State, ZIP: E - Employed **Deputy Sheriff SDSO** 8811 Cuyamaca St, Santee, CA 92071 CONTACT INFORMATION: Number/Address WP - Work Phone 619 956-4000 IDENTIFICATION Country: Number SH - Sheriff ID 6333 Extent of Treatment: Witness #4 Person Code: Secured Premise Discovered Crime Reporting Party Law Enforcement Officer Witness Type 01-Arresting Officer 06-Other Lay Witness 07-Narc Chemist 12-Other Expert 13-Investigator X 14-Other Code: Person Code: County Residence: Name: Thayer, C 16 - Other Police ALIAS / AKA / NICKNAME / MONIKER: Name Type: First: Suffix: Last: Home Address, City, State, ZIP: Res. Country: Place of Birth: Undocumented: Sex: Date of Birth / Age: Height: Weight: Hair Color: Eye Color: Facial Hair: Complexion: Occupation/Grade: **Employment Status** Employer/School: Employer Address, City, State, ZIP: E - Employed **Deputy Sheriff SDSO** 8811 Cuyamaca St, Santee, CA 92071 CONTACT INFORMATION: Number/Address WP - Work Phone 619 956-4000 IDENTIFICATION Number: Country: SH - Sheriff ID 9921 Extent of Treatment: Injury: Witness #5 Person Code: Secured Premise Discovered Crime Reporting Party Law Enforcement Officer Witness Type 01-Arresting Officer 06-Other Lay Witness 07-Narc Chemist 12-Other Expert 13-Investigator 14-Other Code: Person Code County Residence: Name Molloy, B 06 - Other Lay Witness ALIAS / AKA / NICKNAME / MONIKER: First: Suffix: Name Type: Middle Last: Home Address, City, State, ZIP: Res. Country: Place of Birth: Undocumented: **USA** Race: Date of Birth / Age: Height: Weiaht: Eye Color: Facial Hair: Complexion: Employer Address, City, State, ZIP: E - Employed **Fire Captain** Lakeside Fire Dept 12216 Lakeside Ave, Lakeside, CA 92040 CONTACT INFORMATION: Number/Address WP - Work Phone 619 390-2350

Reporting Officer	Division / Organization	Reviewed By
SH1472 - MARTINEZ, COURY	Ramona Substation RAMONA PATROL	SH1610 - VENGLER, W. DANIEL
Report Date 5/14/2012 1:21:09 AM	Detective Assigned SH5580 - MILLER, KARL	Reviewed Date <b>05/14/2012 14:06:07</b>

IDENTIFICATION:

State

Country:

Number:

Type:



Report Date

5/14/2012 1:21:09 AM

# San Diego County Sheriff's Department **Arrest/Juvenile Contact Report**

12124125 Case No.

CAD Event No.: S9994316

Arrest Case Disposition:

Report No.

[E] County Of San Diego Primary Victim:

12124125.1

Injury: Extent of Treatment:													
Witness #6													
Person Code: Witness Type	Secured Pr	<u> </u>	_	red Crime	_	Reporting	•	_		nforcement (			_
Code: Name:	01-Arresting	g Officer X	06-Othe	r Lay Witness	0	7-Narc C	hemist	Person C		er Expert	13-	Investigator	14-Other County Residence:
Chiodo, C										er Lay V	/itness		N - Nonresident
Name Town		Final					KNAME / N	MONIKER:	:	I 14:			0#:
Name Type:		First:			Middle	e:				Last:			Suffix:
Home Address, City, S	tate, ZIP:				USA				PI	lace of Birth:			Undocumented:
Race: Sex: M	Date of Birth	· ·	Height:	Weight:	Hair C	Color:	Eye Colo	or:		acial Hair:			Complexion:
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Person Code:	Secured Pr	emise	Discover	red Crime	☐ R	Reporting	Party	La	w En	nforcement (	Officer		
Witness Type Code: Name:	01-Arresting	g Officer X	06-Othe	r Lay Witness	□ 0	7-Narc C	hemist	12 Person C		er Expert	13-	Investigator	14-Other County Residence:
Moore, Parame	edic									er Lay W	/itness		County Nesidence.
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E - Employed		Paramedi ghter	c/Fireii	Lakeside		-			1	2216 La	ikeside A	ve, Lakesi	ide, CA 92040
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Name: Russo, Param	edic							Person C <b>06 - O</b>		er Lay W	/itness		County Residence:
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Reporting Officer					Division /	-		n			Reviewed By		
ISH14/7 - MARTINEZ COURY			Ramona Substation RAMONA PATROL			SH1610	- VENGLE	R, W. DANIEL					

Reviewed Date

05/14/2012 14:06:07

Detective Assigned



12124125 Case No.

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Arrest Case Disposition:

[E] County Of San Diego Report No. Primary Victim: 12124125.1

Race:	Sex:	Date of Bir	th / Age:	Height:	Weight:	Hair Color:	Eye Col	or:	Facial Hair:			Complexion:
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Reporting Officer	Division / Organization	Reviewed By
SH1472 - MARTINEZ, COURY	Ramona Substation RAMONA PATROL	SH1610 - VENGLER, W. DANIEL
Report Date 5/14/2012 1:21:09 AM	Detective Assigned SH5580 - MILLER, KARL	Reviewed Date <b>05/14/2012 14:06:07</b>

Case No. 12124125

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Primary Victim: [E] County Of San Diego

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John Walters (12-24-92) was arrested for being drunk in public. While transporting Walters to the jail, Walters slipped the handcuffs from behind his back to the front of his body.

Walters tried to use the seatbelt buckle to break the handcuffs. Walters then tried to use the buckle to break the rear driver's side window. Walters began kicking the rear driver's side door and also the buckle that he positioned against the window. Upon attempting to remove Walters from the patrol vehicle, he exhibited assaultive behavior by posturing that he would kick me and possibly use the handcuffs as a weapon. Physical force was used to overcome Walters' resistance and he was placed into maximum restraints.

Walters was transported to Grossmont Hospital by paramedics. Walters was admitted to the hospital for possible facial fractures. Walters was released from custody pursuant to 849 (b) (2) PC. The additional charges of 664-594 (B) (2) (a) PC and 148 (a) (1) PC were added to this case.

## **ORIGIN:**

On 05-13-12, at about 1800 hours, I received a radio call to investigate a family disturbance at 2405 San Diego Avenue in Ramona.

## **BACKGROUND:**

The reporting party, Doreen Walters (85 years old), reported that her grandson, John Walters, was in a verbal argument with her. John was possibly drunk or under the influence of a controlled substance.

Doreen lives alone in the residence. John Walters has been living out of the broken down motorhome in her front yard for the past three months.

# **INVESTIGATION:**

Deputy Foote (7349) and I arrived at about 1806 hours. I contacted John Walters wandering in the front yard near the motorhome and a broken down truck. Walters had been drinking alcohol and claimed to be looking for his cat. Walters was compliant and cooperative during the contact. I explained that he was creating stress for his grandmother by arguing with her. He reported that he gets frustrated with his grandmother because she has dementia and he just wants to try to help her. Walters started crying while talking to me and Deputy Foote.

I went to contact Doreen Walters in the residence while Deputy Foote stayed with John Walters. Doreen provided the following statement.

## STATEMENTS:

Statement of Doreen Walters (witness):

Doreen could tell that John had been drinking today. John came into the house to find something (possibly a tool) to get the motorhome started. John became angry when he could not find what he was looking for. John accused Doreen of throwing the item away. Doreen stated that John had cussed and yelled at her. Doreen wants John to leave her property.

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# Investigation continued:

Doreen received a phone call from her daughter in Vista. I briefly spoke to the daughter and she was aware of the eviction process. I explained to Doreen that she needed to legally evict John from the property. I went back out to speak with John Walters. Walters was apologetic that we had to be called out. Walters agreed to leave his grandmother alone. Deputy Foote and I cleared from the scene at about 1819 hours.

At about 1820 hours, Doreen Walters had called back to the Sheriff's Communications Center. Doreen requested contact from the deputies. I attempted about four phone calls to Doreen with no answer. At about 1846 hours, Doreen called back to report that John Walters was banging on her front door and yelling at her. I spoke to Doreen after the call back. Doreen felt that John was going to kill her. Doreen now had her caretaker, Paula, at the residence with her. Paula spoke on the phone with me. She reported that John was currently banging on the front door and yelling that he needed help. Paula told me that she had to leave soon and go back to work nearby.

I returned to the address at about 1855 hours. John Walters was still wandering in the front yard. I detained him in handcuffs. John denied that he had banged on the front door and yelled at his grandmother. I determined that John could not care for his safety due to his level of intoxication. I also believed that John would continue to harass and scare his grandmother.

I placed John Walters under arrest for a violation of 647 (f) PC. Walters was compliant and his only concern was for his lost cat. I looked for the cat with Paula but did not find it.

I placed Walters into my patrol vehicle and buckled his seatbelt. I started to transport him to the jail. Walters admitted that he had been drinking tequila today. On southbound State Route 67 just past Scripps Poway Parkway, Walters complained about being arrested and believed that he should be handcuffed in the front. I told him that I could not do that. Walters proceeded to unbuckle his seatbelt. Walters was able to transfer his handcuffed arms around his legs and now had his handcuffed arms in front of his body. Walters then positioned his body with his back against the cabin divider and had his feet towards the rear window. I believed that Walters was going to "kick-out" the back window.

I used my radio to report that my prisoner had slipped his handcuffs and requested that a deputy from Lakeside assist me in re-handcuffing Walters at State Route 67 and Slaughterhouse Canyon Road. I pulled over at that location at about 1916 hours.

NOTE: On my patrol vehicle (20354), the two rear doors have bars over the window portions of the doors.

I exited my patrol vehicle. I saw that Walters now had the buckle of the seatbelt wedged between his handcuffs. Walters then banged the buckle on the bars of the driver's side door. I told Walters to stop trying to break the handcuffs. I believed that Walters was trying to escape from custody. Walters hit the

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bars about three more times with the buckle wedged between his handcuffs. I saw Walters manipulate the seatbelt buckle to fit between the bars of the driver's side door against the glass window. I told Walters to stop and put his hands back behind his back. Walters kept yelling, "Fuck you! Let me go!" Walters tried hitting the buckle with the handcuffs to break the window. Walters then kicked the bars with his feet where he had positioned the buckle.

I know from previous cases of vandalism where the suspect kicked a patrol vehicle door and the repair had exceeded \$400. I believed that Walters could have damaged my patrol vehicle, kicked out a window and would try to escape.

I went to the passenger side of the vehicle to distract Walters from kicking the door. Walters had now turned with his feet toward me and the passenger side door. I believed that if I had opened the door, Walters was going to kick me. I went back to the driver's side of the vehicle. Walters turned his body back to the driver's side with his feet extended. Walters started to place the seatbelt buckle back between the driver's side bars.

At about 1925 hours, I walked back around to the passenger side of my patrol vehicle. I opened the rear door. I grabbed onto the back of Walters' t-shirt. I told him to get out of the car. Walters pulled his body away from me. I grabbed Walters in a control hold by positioning my right arm around his neck in a carotid restraint hold. I did not apply pressure to Walters' neck as my intention was to remove him from the vehicle. I used my hold to pull Walters out of the vehicle. Walters held onto the seat belt as I pulled him out. When the seatbelt became taught, I lost my hold of Walters. Walters let go of the seatbelt and rolled onto his back on the ground. Walters had his handcuffed hands clenched in fists in front of his face. I believed that Walters was going to assault me by using the handcuffs as a weapon. I attempted to gain control of Walters' hands by pushing them away from me as I used my body weight to control Walters' legs. I instructed Walters to get onto his stomach. Walters continued to resist by wrapping his legs around mine. I was able to keep Walters' arms away from me as he rolled onto his side facing towards me. Walters now had his hands close to his chest. I used my right thumb to apply pressure to Walters' mandibular angle pressure point on his left side. I instructed him to stop resisting and to roll onto his stomach. Walters continued to resist by trying to bring his hands back towards my face. I used two knee strikes to Walters' abdomen. The pressure point and knee strikes had no effect on Walters.

Walters had thrashed his body and legs with me on top of him during the incident. We had moved about six feet on the asphalt road to the asphalt gutter at the edge of the roadway. I used four closed fist strikes with my left hand to Walters' face. The first fist strike landed above Walters' left ear as he ducked his head. The next two strikes landed in the area of Walters' left eye. The last strike landed on Walters' nose. The fist strikes were effective and I was able to gain control of Walters. Walters was now on his stomach and I used my body weight to keep Walters pinned in the gutter. I had my knees straddling his back and I used my hands to keep Walters' arms extended above his head.

Walters began to bleed from his nose. Walters started to spit blood and spray blood out of his nose. I kept downward pressure on the left side of Walter's head with my right hand to prevent him from turning

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Primary Victim:

[E] County Of San Diego

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Report No.

and spitting on me. Walters continued to yell, "Fuck you! Let go of me! Get the fuck off of me!" I was not injured during the incident.

At about 1927 hours, Deputy Thayer (9921) arrived to assist me. Deputy Thayer used his radio to call for paramedics. I informed Deputy Thayer that Walters needed to be placed in cord cuffs (maximum restraints). Walters continued to resist at this point. I maintained my position on Walters' upper body. I could feel that Walters was kicking his legs and trying to twist his body under me. I told Walters to stop resisting. Deputy Thayer also instructed Walters to stop kicking and stop resisting.

See Deputy Thayer's report for his observations and actions. Deputy Kastelic (6333) arrived to assist. See Deputy Kastelic's report for his observations and actions. Lakeside Fire Engine 2 and Medic 2 arrived on scene. Walters was secured in cord cuffs and waist chains with the assistance of Deputy Thayer and Deputy Kastelic.

The Lakeside Fire Department personnel were Captain Molloy, Engineer Chiodo, Firefighter Vasquez, Paramedic Moore and Paramedic Russo. The paramedics cleaned some of the blood from Walters' face. Walters had a half inch laceration under his left eye and a bloody nose. The paramedics needed to transport Walters to the hospital. I informed them that Walters had been spitting. One of the paramedics placed a spit sock over Walters' head. Deputy Kastelic took a few photos of the scene.

At about 1948 hours, I notified Sergeant Vengler (2610) over the radio that I was involved in a use of force incident. I also informed him that I was going to take the prisoner to Grossmont Hospital with the paramedics.

The paramedics and deputies lifted Walters and placed him onto a gurney. Walters continued to kick and thrash his body while belted to the gurney. The paramedics injected Walters with two doses of Versed to calm Walters down. I rode in the ambulance with the paramedics and Walters to Grossmont Hospital.

Walters was still resisting while in the restraints by kicking his legs. The hospital staff and hospital security guards secured Walters in "leather restraints". Walters was injected with Geodon to calm him down. After a few minutes, Walters calmed down and fell asleep.

Doctor Walter observed possible facial fractures above Walters' left eye and believed that Walters' nose was broken. Walters was going to be admitted to the hospital. Walters was coherent and able to answer the nurse's questions.

I completed the Certificate of Release form and released Walters from custody at about 2355 hours.

## **EVIDENCE:**

Digital photos were downloaded onto a CDR. I secured the CDR into evidence at the Ramona Station.

Reporting Officer	Division / Organization	Reviewed By
SH1472 - MARTINEZ, COURY	Ramona Substation RAMONA PATROL	SH1610 - VENGLER, W. DANIEL
Report Date 5/14/2012 1:21:09 AM	Detective Assigned SH5580 - MILLER, KARL	Reviewed Date <b>05/14/2012 14:06:07</b>

Case No. 12124125

CAD Event No.: \$9994316

Case Disposition: Arrest

Primary Victim: [E] County Of San Diego

Report No. 12124125.1

**11** 

# **INJURIES:**

John Walters had a half inch laceration below his left eye. Walters had a possible broken nose and facial fractures above his left eye.

PROPERTY DAMAGE:

None.

FOLLOW-UP:

None.

**RELATED REPORTS:** 

See Deputy Reports by Kastelic and Thayer.

Reporting Officer	Division / Organization	Reviewed By
SH1472 - MARTINEZ, COURY	Ramona Substation RAMONA PATROL	SH1610 - VENGLER, W. DANIEL
Report Date <b>5/14/2012 1:21:09 AM</b>	Detective Assigned SH5580 - MILLER, KARL	Reviewed Date <b>05/14/2012 14:06:07</b>

# COUNTY OF SAN DIEGO SHERIFF'S DEPARTMENT

# CERTIFICATE OF RELEASE

Case No.
12124125

San Diego County Sheriff's Department (name of releasing agency)	STOWN WALTERS	by the San Diego County Sheriff's Department	the taking into custody of SOHN WALTERS	As required by the provisions of Penal Code Section 851.6 (as amended by Stats. 1975, ch 1117), I hereby verify that	
pursuant to the provisions of:	was released on		(subject's name)	on 851.6 (as amended by Stats	
Penal Code 849(b)(1) 849(b)(3) 849.5	$\frac{5/(3/(7))}{\text{(date)}}$ by the	was a detention only, not an arrest.	on $\frac{5/15/(7}{}$	s. 1975, ch 1117), I hereby verify that	Booking No.

Pertinent portions of Penal Code 849 can be found on the reverse side of this certificate.

Signed C. Martin CMARGINER 1472
Title Deputy Sheriff

Both halves are to be signed by the releasing officer or his/her superior officer: one half is to be given to the Detained Person, the other half to be forwarded to the Records Division.

SO-23 (Rev. 12/04)



# San Diego County Sheriff's Department Officer Report

CAD Event No. \$9994316

Case No. 12124125

Report No. **7688** 

Page 1 of

						GENERAI	L CASE	INFORM	MATION	1			
Special St	tudies:									Related Cases:			-
	City, State,									Occurred On:			
Slaugh	terhous	e Canyoı	า/highway ୧	37,Lakesid	e, CA	92040				5/13/2012 7:31:	00 PM (Տւ	unday)	
Jurisdictio					Beat:		Call So	ource:		(and Between):			
Santee Uninc - SANTEE			528										
													_
							INDIVID	DUAL/S					
Name:								P	erson Code	e:		Interpreter Language:	-
Walters, John Charles											EN - English		
	,					ALIAS / Al	KA / NICK	NAME / MO	NIKER:				_
Home Add	dress, City,	State, ZIP:				Res. C	Res. Country: Cou			County Residence:		Undocumented:	
2405 S	an Diego	Ave Ra	mona, CA 🤋	2065		USA	USA - UNITED STATES R I			R Resident			
Race:	Sex:	Date of Bi	rth / Age:	Height:	Weigh	nt: Hair Co	olor:	Eye Color:	F	Facial Hair:		Complexion:	
W	M	12/24/1	992 - 19	5' 10"	180	lbs BRO		GRN	(	02 - Beard Only			
Employme	ent Status:		Occupation/G	irade:	Emplo	oyer/School:			E	Employer Address, City, Sta	te, ZIP:		Ī
													_
								FORMATIO	N				_
T				Number:			IDENTIFI	State:			Country		_
Type:	Trivore I	.icense N	lumbor	F1367609					lifornia		Country:		
Attire:	JIIVEIS L	icense i	unibel	F 130/003	,	Injune:	CA - California				Viole	ent Crime Circumstances:	_
						Injury:			Extent Of Treatment:			ent Grime Gircumstances:	
black T	∣ Snirt, b	lack sho	rts										

# ORIGIN:

Subject Injury Description:
Officer Injury Description:

On 05/13/2012 at about 1931 hours, I received a radio call (CAD#S9994316) to assist Lakeside Deputy C. Thayer and Ramona Deputy C. Martinez with a drunken prisoner who had slipped his handcuffs at the intersection of Slaughterhouse Canyon Rd and Highway 67 in Lakeside.

REPORT NARRATIVE

### **INVESTIGATION:**

I arrived at the above location. At the side of the road, I observed Deputies C. Martinez and C. Thayer positioned over a prone, handcuffed subject (who was later identified to me as John Walters). Deputy Thayer was holding Walters feet and ankles, and Deputy Martinez was holding Walter's outstretched and bloody arms. Walters was twisting from side to side and was kicking his feet.

Deputy Thayer asked me to assist him with applying a cord cuff restraint. I held Walters feet and ankles while Deputy Thayer applied the cord cuff restraint. Walters yelled loudly "fuck you, why are you doing this to me! I'll fucking kill you!" Walters continued to twist and kick his feet, so I positioned my body weight over his legs and buttocks to prevent him from moving. Deputy Thayer and I assisted Deputy Martinez into repositioning Walters' hands from the handcuffs and into waist chains.

Paramedics from the Lakeside Fire Department arrived, and I assisted them into placing Walters onto a gurney. During the entirety of my involvement in the incident, Walters behaved violently, actively and aggressively resisted law enforcement, and did not obey any commands to calm down or comply with lawful orders. I photographed Walters, Deputy Martinez (who had blood stains on his uniform sleeves), and the scene. Walters was transported to Grossmont Hospital.

I concluded my involvement in the matter.

Reporting Officer	Division / Organization	Reviewed By		
SH6333 - KASTELIC, ROBERT	RAM_PAT / RAM - Ramona Substation	SH1610 - VENGLER, W. DANIEL		
Report Date 5/13/2012 10:29:17 PM	Detective Assigned SH5580 - MILLER, KARL	Reviewed Date 5/14/2012 2:06:16 PM		



# San Diego County Sheriff's Department Officer Report

CAD Event No. \$9994316

Case No. 12124125

Report No. **7690** 

2 Page 1 of

GENERAL CASE INFORMATION										
Special Studies:			Related Cases:							
Location, City, State, ZIP:			Occurred On:							
2405 San Diego Av,			5/13/2012 7:17:00 PM (Sunday)							
0 /	Doot:	Call Causas	\ 37							
Jurisdiction:	Beat:	Call Source:	(and Between):							
Ramona - RAMONA	435									

	INDIVIDUAL/S										
Name:								Person C	ode:		Interpreter Language:
Walter	s, John (	Charles									
ALIAS / AKA / NICKNAME / MONIKER:											
Home Address, City, State, ZIP: Res. Country:									County Residence:		Undocumented:
2405 San Diego Ave Ramona, CA 92065 USA - UNITED S						ITED STA	TES	R Resident			
Race:	Sex:	Date of B	irth / Age:	Height:	Weight:	Hair Color:	Eye Color:		Facial Hair:		Complexion:
W	M	12/24/1	992 - 19	5' 10"	180 lbs	BRO	GRN		02 - Beard Only		
Employment Status: Occupation/Grade: Employ					Employer/Scho	ool:			Employer Address, City, State, ZIP:		
CONTACT INFORMATION											
						IDENT	IFICATION:				
Type:				Number:					Country:	ry:	
DLN -	Drivers L	icense N	lumber	F1367609	9		CA - California				
Attire:					Injury:			Exten	t Of Treatment:	Viole	ent Crime Circumstances:
black 7	ΓShirt, b	lack sho	rts								
Subject Ir	njury Descrip	otion:			l .					l .	
-											
Officer In	ury Descrip	tion:									
						25225					
						REPORT	NARRAT	IVE			

### ORIGIN:

On 05/13/12, at about 1917 hours, I assisted Deputy Martinez #1472 on an assist call on Slaughter House canyon in Lakeside.

## **DEPUTY OBSERVATIONS AND ACTIONS:**

I arrived on scene and saw Deputy Martinez #1472 holding the suspect John Walters arms over his head. Walters was kicking and fighting with Deputy Martinez. I immediately ran and jumped on to Walters legs restraining him from kicking Deputy Martinez. While hold Walters legs I removed the chord cuff from Deputy Martinez right boot.

When attempting to place the chord cuff around Walters ankle. He repeatedly kicked and thrashed around preventing me from placing the chord cuff. Fearing that Walters would kick Deputy Martinez and I. I placed Walters left leg behind his right knee and applied pressure preventing Walters from kicking us further.

After securing is legs, Walters agreed to be somewhat compliant and agreed to relax so I could place the chord cuffs around his ankles. I secured to the chord cuff temporally to his belt loop. Deputy Kastelic #6333 arrived and held Walters legs while i grabbed a second chord cuff from Deputy Martinez's car and placed it around his waist and secured it to his ankle chord cuff.

Deputy Martinez had a waist chains on the rear of his vehicle. I placed the waist chains around Walters. Deputy Kastelic and I helped Deputy Martinez place Walter in the waist chain restraints.

Paramedics from the Lakeside Fire Department arrived; Deputy Kastelic and I assisted them into placing Walters onto a gurney. During the entirety of my involvement in the incident, Walters behaved violently, actively and aggressively resisted law enforcement, and did not obey any commands to calm down or comply with lawful orders. Walters was transported to Grossmont Hospital.

I concluded my investigation

Reporting Officer SH9921 - THAYER, CASEY	Division / Organization SPS_PAT / SPS - Santee Station	Reviewed By SH1610 - VENGLER, W. DANIEL		
Report Date 5/14/2012 2:50:25 AM	Detective Assigned SH5580 - MILLER, KARL	Reviewed Date 5/14/2012 11:03:34 PM		



# San Diego County Sheriff's Department Evidence Report

Case No: **12124125** 

Evidence Sheet No: 001

1

Page 1 of 1

### **GENERAL CASE INFORMATION** REPORTING AGENCY: SH - Sheriff CALL FOR SERVICE NUMBER (CAD) OFFENSE TYPE: DIVISION: BILLING CODE: SEARCH WARRANT NUMBER: 148 (A)(1) - PC - OBSTRUCT/RESIST RAM - Ramona SDSO - SD PEACE OFCR/EMER MED TECH (M) **Sheriff's Office** Substation DATE OF INCIDENT: INCIDENT LOCATION (CITY, STATE, ZIP): KEY CASE NUMBER: 5/13/2012 2405 SAN DIEGO AVENUE/RAMONA REPORTING OFFICER: DIVISION: SH1472 - MARTINEZ, COURY SH1472 **SHERIFF** ASSIGNED DETECTIVE: DIVISION: ID:

SH5580 - MI	LLER, KARL		SH5580	Centra	Central Operations Detail					
		·	·				•			
		OUTSIDE A	AGENCY							
OA CASE NUMBE	R: AGENCY NAME:		ASSIGNED DET	ECTIVE:		CONTACT	Γ PHONE			
	AGENCY ADDRESS (C	CITY, STATE, ZIP):								
	•									
		INVOLVED	PEOPLE							
AFFILIATION:	NAME (Last, First, Middle	a).	DOB:	AGE:	SEX:		RACE:			
SUS2	WALTERS, JOHN	· ·	12/24/1992	19	M - N	/lalo	TAOL.			
3002	HOME ADDRESS (CITY, S		12/24/1992	HOME PH		liale				
				HOWEFF	IONE.					
		Avenue RAMONA, CA 92065								
AFFILIATION:	NAME (Last, First, Middle	e):	DOB:	AGE:	SEX:		RACE:			
VIC1	[E] COUNTY OF	SAN DIEGO								
	HOME ADDRESS (CITY, S	STATE, ZIP):	HOME PHONE:							
	1424 Montecito F	Road RAMONA, CA 92065								
		EVIDENCE INFORM	IATION SECTION							
					•	•				
FIN	OA Item/TAG #	PROPERTY DESCRIPTION:								
1.1		COMPACT DISK (CD W/PHOT	OS)	1 118811				1881		

FIN	OA Item/TAG	# PF	ROPERTY DESCRIP	TION:					
1.1		C	OMPACT DIS	K (CD W/PHO	OTOS)				
VALUE:	QUANTITY: MAKE / MANUF		MANUFACTURER:		MODEĹ:				
	0								
CALIBER:	SERIAL NUMBER: PROPERT			Y TYPE:					
			1302 - 0	Compact Disc	Player	* I 1 2 6 2 7 4 0 *			
PROPERTY STA	TUS:				SEARCH WARRANT:	* I 1 2	62740*		
ES - Evide	nce (Seized)								
PROPERTY DIS	POSITION:				DATE/TIME RECVRD / SEIZED:	CSI	PFIN		
Disposed					5/13/2012				
DRUG TYPE:				DRUG QUANTITY:			DRUG MEASURE:		
						•			
NOTES:							•		



# San Diego County Sheriff's Department Use of Force Supplemental

UOF DATE AND T 5/13/2012 19:2		EVENT NUMBER S9994316	CASE NUMBER 12124125		DOCUMEN 7695	MBER	STATION/FACILITY  RAM - Ramona Substation					
INCIDENT DESCR			12124123		1095			IXAIVI - I	Vallione	a Subs	lalion	
John Walters 6												
SUBJECT'S NAMI Walters, John	•	Γ, MI)	12/24/1992		ESTED Yes ☐ No	5	SUPER Yes	VISOR PRE	SENT	Î	TIME SUPERVI 3/2012 19:48	SOR NOTIFIED
REASON(S) FOR USING FORCE:		Necessary to effect an arrest	Necessary another	/ to de	efend self or			essary to pr ape/evasion	event		Necessary to	effect a lawful
	_	Necessary to prevent a violent forcible felony Delaying Jail Operations	X Necessary subject's s		strain for	[		essary durir dent	ng high-ri	sk [	Necessary d	uring riot
SUBJECT APPEA  X Under the inf			Mentally impaired		NUMBER C	F OFF	FICERS	ON SCENE	NI 3	JMBER (	OF OFFICERS U	ISING FORCE
LEVEL(S) OF RES	SISTANCE ENC	COUNTERED										
NONE (subject cooperated/complied)  PASSIVE RESISTANCE (represents by a refusal to respond to verbal commands but also offers no form of physical resistance)												
	- Continuands successful to the service of the serv											
	VERBAL NON-COMPLIANCE (subject's expressed unwillingness to comply with the officer's commands) ASSAULTIVE BEHAVIOR (physical actions of assault)											
											otential injury or	death)
LAW ENFORCE  X Verbal Com		./TECHNIQUE USED op resisting, Roll onto y				COMI	E RESIS	STANCE (	CHECK	ALL TH	HAT APPLY)	
Empty Hand	Control					-Letha		n System	Discha	rges	Number of Contacts	Target Distance
X Grab, Pus	sh, Pull, or Body	<del>-</del>					Ball - O0 Ball - Wa	Powder				
<b>—</b>	(Daiati	on: 5 seconds) on: 10 seconds) (# of Cor	ntacts: 1)				Rifle - S					
X Strike	(Body part used	d: 4left fist to head, 2 knee		of				ow Energy				
☐ Takedowi	, , <u> </u>	nscious? Yes No)	(Duration: )				Rifle - B Rifle - S	•				
☐ Carotid  ☐ Tool/Device/	•	nscious? [ res [ ino)	(Duration. )				Probes	polige				·
1251	•	on: ) (# of Contacts: )					Drive St	uns				
	contaminated	_				•	all Grena					
	Cuff Restraint D	•	nin)		=		Light dev					
Type:	ct Weapon (#	f of Contacts: )					ige Supe NOVA Sl					
Canin	e (Duration:	) (# of Contacts: )			REACT Belt							
ш	le/Forcible Stop											
Type:	on Pointed at S				☐ Firea ☐ Typ							
X Spit So ☐ Pro-St	ock (Duratio raint Chair	on: 60 min)			☐ Othe	۳.						
	al Shield				☐ Otile	'						
☐ WRAP												
WAS INITIAL USE			XNo		1			CONTROL (				s 🗌 No
SUBJECT INJURE	ED EXTENT  None	OF TREATMENT  Treated at h	osnital		OFFICER Yes	` '	JURED No	EXTENT X None	OF TRE		T ated at hospital	
	Treated	at scene X Hospitalized		nt			_	Treated	at scene			used treatment
SUBJECT INJURY	Y DESCRIPTIO	N			OFFICER	R INJUI	RY DES	CRIPTION				
OTHER FORCE U	JSED/COMMEN	ITS/EQUIPMENT PERFC	RMANCE:									
SERGEANT			ARJIS	DAT	ΓE							
LIEUTENANT			ARJIS	DAT	ГЕ							
CAPTAIN			ARJIS	DAT	ΓE							
L	L		i	1								



# San Diego County Sheriff's Department Use of Force Supplemental

## **Use of Force Supplemental Instructions**

Lines 1 & 3: Fill in the blanks.

<u>Line 2</u>: If the suspect was committing a crime and force was used to stop or apprehend the subject, document the appropriate penal code. If the UOF occurred in the performance of the officer's duties, document the incident description, i.e. officer transport, officer escort, making arrest, detaining suspect, cell extraction etc.

**Primary Reason for Using Force**: Check appropriate box(s).

Subject Appeared To Be: Check if applicable.

Number of Officers on Scene: List number of officers present.

Number of Officers Using Force: List number of officers that used force.

Level(s) of Resistance Encountered: Check appropriate box(s).

<u>L.E. Tool/Technique Used</u>: Check appropriate box(s). If known and/or applicable, include duration (approximate length of time) tool/technique was used. If known and/or applicable, include the number of contacts (approximate number of strikes, impacts, etc.) when requested on form.

<u>Was Initial Use of Force Effective?</u> If initial force used was effective, check "Yes." If initial force used was ineffective and additional force was necessary, check "No."

<u>Was Additional Control or Force Needed</u>: If initial force used was ineffective and additional force was necessary, check "Yes." If initial force used was effective, check "No."

<u>Target Distance</u>: If applicable (refers primarily to less lethal weapon systems), approximate distance or provide range (i.e. 7-15 feet, 15-20 yards, etc.) from subject during application of force.

<u>Subject Injured</u>: Check "Yes" if medically treated for injury sustained as a possible result of force applied by a officer(s) – does not include previous injuries suffered prior to officer contact. Check "No" if subject was not injured or simply complains of injury/pain suffered as a result of force applied by an officer(s) and refuses medical attention. Any complaints of pain shall be documented in the use of force report narrative (whenever any physical force used by a officer results in a complaint of injury or an injury that necessitates medical treatment of a subject, a supervisor will be notified immediately).

**Extent of Treatment**: Check appropriate box. Check none if subject was evaluated and no treatment was required. Specifically, check "Treated at Scene" if subject was treated at scene by EMS for injuries that may have resulted due to force applied by officer(s). Check "Treated at Hospital" if subject was transported to hospital for treatment of injuries that may have been sustained as an apparent result of force applied by officer(s). Check "Hospitalized" if subject was admitted to the Hospital as a result of injuries that were sustained as a result of force applied by officer(s).

Officer Injured: Check appropriate box (see above).

**Extent of Treatment**: Check appropriate box. Check none if officer was evaluated and no treatment was required. Specifically, check "Treated at Scene" if officer was treated at scene by EMS for injuries. Check "Treated at Hospital" if officer was transported to hospital for treatment of injuries. Check "Hospitalized" if officer was admitted to the Hospital as a result of injuries.

<u>Other Force Used/Comments/Equipment Performance:</u> This section can be used to document other force options not listed on the form; relevant comments about the incident such as complaints of pain/injury (room permitting) and negative/positive comments regarding equipment performance.

Mark Figure to Indicate Contact Points: When applicable, mark the areas on the figure where applied force contacted the subject's body.

**Sergeant:** Sign, list ARJIS number and date reviewed.

**<u>Lieutenant</u>**: Sign, list ARJIS number and date reviewed.

<u>Captain</u>: Sign, list ARJIS number and date reviewed.



# San Diego County Sheriff's Department **Officer Report**

S9994316 CAD Event No.

12124125 Case No.

Report No. 7695

						GEN	IERAL	CASE	INFORM	MATION				
Special St	tudies:										Related Cases:			
Location,	City, State,	ZIP:									Occurred On:			
Slaugh	terhous	e Canyo	n Rd At Stat	te Rte 67,L	akes	ide, CA 9	2040				5/13/2012 7:25:00 PM (Sunday)			
Jurisdictio	n:							Call So	ource:		(and Between):	•		
Santee Uninc - SANTEE				529	1									
							IN	IDIVID	UAL/S					
Name:									P	erson Code	Interpreter		Interpreter Language:	
Walters, John Charles														
						AL	IAS / AKA	A / NICK	NAME / MO	NIKER:				
Home Add	dress, City,	State, ZIP:					Res. Country: Cou			County Residence:		Undocumented:		
2405 S	an Dieg	o Ave Ra	mona, CA 9	2065		USA - UNITED STATES				ES	R Resident			
Race:	Sex:	Date of B	irth / Age:	Height:	Weig	jht:	Hair Colo	or:	Eye Color:		Facial Hair:		Complexion:	
W	M	12/24/1	992 - 19	5' 10"	180	lbs	BRO		GRN	(	02 - Beard Only		MED - Medium	
Employme	ent Status:		Occupation/G	rade:	Empl	loyer/School:					Employer Address, City, Sta	mployer Address, City, State, ZIP:		
U - Une	employe	d												
							CONT	ACT IN	FORMATIO	N				
							ID	DENTIFI	CATION:					
Type: Number:							State:				Country:			
DLN - D	Orivers L	_icense N	lumber	F1367609	)				CA - Ca	lifornia				
Attire:						Injury:				Extent Of Treatment:		Viole	nt Crime Circumstances:	
black T	Shirt, b	lack sho	rts			Yes 4 - Hosp			spitalized					
Subject In	iury Descri	ntion:									-	•		

REPORT NARRATIVE

See Arrest Report for narrative.

Officer Injury Description:

Reporting Officer	Division / Organization	Reviewed By		
SH1472 - MARTINEZ, COURY	RAM_PAT / RAM - Ramona Substation	SH1610 - VENGLER, W. DANIEL		
Report Date 5/14/2012 5:28:56 AM	Detective Assigned SH5580 - MILLER, KARL	Reviewed Date 5/14/2012 2:06:18 PM		





















